

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-v-

RICHARD T. DIVER,

Defendant.

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NOTICE OF MOTION

No. 19 Civ. 2771 (LAP)

PLEASE TAKE NOTICE that upon the Complaint in the above-captioned action; the complaint in *United States v. Richard Diver*, 19 Mj. 03058 (the “Criminal Case”); and the accompanying memorandum of law, the United States of America, by its attorney Geoffrey M. Berman, United States Attorney, and Martin S. Bell, Assistant United States Attorney, of counsel, will move this Court, for an order (i) to intervene in the above-captioned action, pursuant to Rule 24 of the Federal Rules of Civil Procedure, and (ii) to stay the above-captioned action in its entirety until the conclusion of the Criminal Case, as well as for such other relief as the Court deems just and proper.

Dated: New York, New York
May 10, 2019

Respectfully submitted,

GEOFFREY M. BERMAN
United States Attorney

By: /s/ Martin S. Bell
Martin S. Bell
Assistant United States Attorney
(212) 637-2463